

**REGULAR MEETING OF THE CANTON CITY COUNCIL  
6:00 P.M, OCTOBER 20, 2020**

Canton City Hall  
201 N. Buffalo, Canton, Texas 75103

**AGENDA**

1. CALL MEETING TO ORDER AND DECLARE A QUORUM PRESENT
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. MAYOR'S WELCOME
5. DECLARATIONS REGARDING CONFLICTS OF INTEREST
6. PROCLAMATIONS AND ANNOUNCEMENTS
  - A. INTRODUCTION OF NEW DIRECTOR OF OPERATIONS – PETER LAMONT

**CITIZENS FORUM**

7. CITIZENS FORUM – CITIZENS ARE INVITED TO SPEAK ON MATTERS RELATING TO CITY GOVERNMENT

**CONSENT AGENDA**

8. CONSIDER APPROVAL OF FINANCIAL REPORTS FOR JUNE, JULY, AND AUGUST, 2020
9. CONSIDER APPROVAL OF MINUTES FOR SEPTEMBER 1, 10 AND 15, 2020 COUNCIL MEETING
10. CONSIDER ADOPTION OF ORDINANCE NO. 2020-23 AMENDING THE ANIMAL CONTROL ORDINANCE NO. 2016-21 WITH REGARD TO FEES AND DEFINITION OF VICIOUS ANIMAL
11. CONSIDER ADOPTION OF RESOLUTION NO. 2020-28 DESIGNATING THE CANTON HERALD AS THE OFFICIAL NEWSPAPER FOR THE CITY OF CANTON
12. CONSIDER ADOPTION OF RESOLUTION NO. 2020-29 AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR A LOCAL ON-SYSTEM IMPROVEMENT PROJECT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR THE COMPLETION OF A HIGHWAY IMPROVEMENT GENERALLY DESCRIBED AS THE EXTENSION OF A WATER LINE ON HIGHWAY 198; CONDITIONING SAID AUTHORIZATION OF THE RECEIPT OF ALL NECESSARY DOCUMENTS IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE

SUBJECT; EXPRESSING THE CITY COUNCIL'S SUPPORT OF THE PROJECT; AND ESTABLISHING AN EFFECTIVE DATE

13. CONSIDER APPROVAL OF APPOINTMENT OF ELI BROWN TO CANTON MAIN STREET BOARD
14. CONSIDER ADOPTION OF RESOLUTION NO. 2020-30 APPROVING THE CITY OF CANTON'S 2020 TAX ROLL AS SUBMITTED BY THE VAN ZANDT COUNTY APPRAISAL DISTRICT
15. CONSIDER APPROVAL OF POLICE POLICY HANDBOOK
16. CONSIDER APPROVAL OF CONTRACT WITH SANITATION SOLUTIONS FOR COLLECTION AND DISPOSAL OF RESIDENTIAL AND COMMERCIAL WASTE WITHIN THE CITY LIMITS OF CANTON, TEXAS

#### **INDIVIDUAL CONSIDERATION**

17. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2020-13 GRANTING SPECIFIC USE PERMIT FOR THE OPERATION OF AN EATING ESTABLISHMENT WITH DRIVE-THROUGH AND DRIVE-UP SERVICE AT 780 S. TRADE DAYS BOULEVARD IN THE CITY OF CANTON, CURRENTLY OWNED BY BRANDON WEATHERLY
18. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2020-24 GRANTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) DISTRICT TO GENERAL BUSINESS DISTRICT (B-2) ON THAT PROPERTY LOCATED AT 340 N. TRADE DAYS BLVD. (R000000094) CANTON, TEXAS, CURRENTLY OWNED BY LUIS AND MARIA PEREZ
19. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2020-20 AMENDING SECTION 11.1 OF ORDINANCE NO. 2020-2, THE CITY OF CANTON ZONING ORDINANCE, TO CHANGE THE PERMITTED USE TABLE TO ALLOW SHORT-TERM RENTALS IN THE GATEWAY DISTRICT
20. PUBLIC HEARING AND CONSIDER ADOPTING ORDINANCE NO. 2020-26 GRANTING A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL ON THE PROPERTY LOCATED AT 402 E. COLLEGE, CANTON, TEXAS, CURRENTLY OWNED BY DENISE P. WHITE (GRIFFITH)
21. PUBLIC HEARING AND CONSIDER ORDINANCE NO. 2020-28 AMENDING SECTION 5.4.1 OF ORDINANCE NO. 2020-2, THE CITY OF CANTON ZONING ORDINANCE, ESTABLISHING REGULATIONS FOR FOOD TRUCKS WITHIN THE CITY LIMITS OF CANTON, TEXAS
22. DISCUSSION REGARDING SALE OF ALCOHOL ON FIRST MONDAY GROUNDS
23. DISCUSSION AND CONSIDER ACTION TO HIRE ONE (1) ADDITIONAL FULL-TIME FIREFIGHTER OR EQUIVALENT

24. DISCUSSION AND CONSIDERATION OF APPROPRIATE ACTION REGARDING THE CITY OF CANTON'S RESPONSE TO THE URGENT PUBLIC NECESSITY CONCERNING COVID-19, INCLUDING BUT NOT LIMITED TO:
  - A. SOCIAL DISTANCING AND NECESSARY PRECAUTIONS RELATED THERETO;
  - B. POTENTIAL CANCELLATION / RESCHEDULING OF UPCOMING CITY EVENTS; AND
  - C. BUDGET ADJUSTMENTS
25. CITY MANAGEMENT REPORTS
  - A. FIRST MONDAY
  - B. MARKETING
  - C. BUILDING PERMITS
  - D. OTHER ITEMS

#### **EXECUTIVE SESSION**

**In accordance with the authority contained in the Texas Government Code, Chapter 551, including but not limited to, Sections 551.071, 551.072, 551.074 and 551.087. Council will convene in closed or executive session to discuss the following matters.**

26. EXECUTIVE SESSION FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS REGARDING THE FOLLOWING:

Section 551.087 – to deliberate commercial or financial information the CEDC has received from a business prospect, and to deliberate the offer of a financial or other incentive to Zanbaka USA LLC and other business prospects, including but not limited to, a mixed-use development project, a local business retention and expansion project, a local capital investment project, a downtown retail rent subsidy prospect, and recruitment of new commercial, industrial, retail, restaurant, hospitality, and family entertainment prospects
27. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY REGARDING EXISTING OR POTENTIAL LITIGATION (Section 551.071) REGARDING ONGOING LITIGATION INVOLVING THE REAL PROPERTY LOCATED AT 673 W. COLLEGE (A/K/A 901 OR 707 W. COLLEGE), INCLUDING CAUSE NOS. 6-19-CV-00365-JDK, AND 6:19-CV-00177-JDK, PENDING IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS, AND CAUSE NO. 19-00219, PENDING IN THE 294<sup>TH</sup> DISTRICT COURT OF VAN ZANDT COUNTY (AND RELATED APPELLATE MATTERS IN 12<sup>TH</sup> COURT OF APPEALS); CITY OF CANTON VS. JERRY L. HARRELL, CAUSE NO. 20-00121, PENDING IN THE 294<sup>TH</sup> JUDICIAL DISTRICT COURT OF VAN ZANDT COUNTY; AND DUSTIN REYNOLDS VS. MICHAEL KING ET AL, CAUSE NO. 4:20-CV-691, IN THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
28. EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY (Section 551.071)

#### **RETURN TO OPEN SESSION**

29. RECONVENE TO OPEN SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION

30. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2020-25 ANNEXING APPROXIMATELY 20.006 ACRES OF LAND IN THE Q.C. NUGENT SURVEY, A-618, VAN ZANDT COUNTY, TEXAS, OWNED BY BETTY WILKERSON, EDWARD DEARING, DORIS BUTLER, AND JOYCE CRABTREE
31. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2020-27 GRANTING A ZONING CHANGE FROM RURAL AGRICULTURAL (RA) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT ON THAT APPROXIMATELY 20.06 ACRE TRACT OF LAND IN THE Q.C. NUGENT SURVEY, A-618, LOCATED IN THE NORTHEAST CORNER OF THE INTERSECTION OF HWY 19 AND I-20, CURRENTLY UNDER CONSIDERATION FOR ANNEXATION INTO THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY EDWARD DEARING, BETTY WILKERSON, DORIS BUTLER, AND JOYCE CRABTREE
32. PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE NO. 2020-29 GRANTING A SPECIFIC USE PERMIT FOR FOOD TRUCK PARK ON THE PROPERTY LOCATED AT 176 N. TRADE DAYS BLVD. (LL37) IN THE CITY OF CANTON, TEXAS, CURRENTLY OWNED BY SUMNER ONE PROPERTIES LTD.
33. FIRST READING OF RESOLUTION NO. 2020-31 AUTHORIZING AND APPROVING A PERFORMANCE AGREEMENT WITH ZANBAKA USA, LLC AUTHORIZING CERTAIN FINANCIAL ASSISTANCE NOT TO EXCEED \$83,000.00 FOR DUKE'S TRAVEL PLAZA AND CRAFT 64 RESTAURANT IMPROVEMENTS
34. SECOND READING AND CONSIDER ADOPTION OF RESOLUTION NO. 2020-31 AUTHORIZING AND APPROVING A PERFORMANCE AGREEMENT WITH ZANBAKA USA, LLC AUTHORIZING CERTAIN FINANCIAL ASSISTANCE NOT TO EXCEED \$83,000.00 FOR DUKE'S TRAVEL PLAZA AND CRAFT 64 RESTAURANT IMPROVEMENTS
35. CONSIDER ADOPTION OF RESOLUTION NO. 2020-32 APPROVING AND AUTHORIZING THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN CANTON ECONOMIC DEVELOPMENT CORPORATION AND MITCHELL KAUFMAN CONVEYING APPROXIMATELY 5 ACRES, BEING A PART OF A CERTAIN APPROXIMATE 59.62-ACRE TRACT AT THE END OF BURNETT TRAIL, SITUATED IN THE J. DOUTHIT SURVEY, A-198, OWNED BY CANTON ECONOMIC DEVELOPMENT CORPORATION
36. DISCUSS AND CONSIDER TAKING ACTION ON (1) PLANNED EVENT AT FIRST MONDAY TRADE DAYS GROUNDS FOR NOVEMBER 6-8, 2020; AND (2) SEPTEMBER 21, 2020 FIRST MONDAY TRADE DAYS LEASE AGREEMENT WITH GRAYSON BERRY FOR NOVEMBER 6-8, 2020 EVENT
37. ITEMS FOR FUTURE AGENDAS
38. ADJOURN

**The Council may vote and/or act upon each of the items listed in this Agenda. The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including 551.071 (private consultation with the attorney for the City); 551.072 (discussing purchase, exchange, lease or value of real property); 551.074 (discussing personnel or to hear complaints against personnel); and 551.087 (discussing economic development negotiations). Any decision held**

on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

The City of Canton City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary 48 hours prior to this meeting at (903) 567-1841 so that appropriate arrangements may be made.

I, Debra Johnson, do hereby certify this Notice was posted at the Canton City Hall bulletin board, on October 16, 2020, at 1000 a.m.

ATTEST:

  
Debra Johnson, City Secretary

Removed this the \_\_\_\_\_ day of October, 2020, at \_\_\_\_\_ .m.

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Debra Johnson, City Secretary